

**U.S. Department of the Interior  
Bureau of Land Management**

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**Extraordinary Circumstances Documentation**  
**[Project Name]**

**PREPARING OFFICE**

U.S. Department of the Interior  
Bureau of Land Management





# **Extraordinary Circumstances Documentation**

**[Project Name]**

**Prepared by**  
**U.S. Department of the Interior**  
**Bureau of Land Management**

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# **Chapter 1. Categorical Exclusion Rationale**

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CX Number:	DOI-BLM-NV-L030-2015-0032 CX
Date:	September 11, 2015
Lease/Case File/ Serial Number:	NVN 037681
Regulatory Authority (CFR or Law):	43 CFR 3600

The following block would be inside instruction tags and not be printed or visible in the final document

NEPA Guidance: Answers to the Extraordinary Circumstances questions below will affect the level of NEPA required for this project. If any of the extraordinary circumstances are applicable to the action being considered, either an EA or EIS must be prepared for the action.

## Section 1.1 Impacts on Public Health and Safety

1. Does the proposed action have significant impacts on public health and safety?		
YES	NO	REVIEWER/TITLE
	X	Nick Pay/Planning and Environmental Coordinator

**Rationale:** The Proposed Action includes design features and mitigation measures that should eliminate any potential risks to public health and safety. Therefore, the Proposed Action is not expected to have significant impacts to public health and safety.

## Section 1.2 Impacts on Natural Resources or Unique Geographic Characteristics

2. Does the proposed action have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds (Executive Order 13186); and other ecologically significant or critical areas?		
YES	NO	REVIEWER/TITLE
	X	Todd Trapp/Wildlife Biologist and Nick Pay/Planning and Environmental Coordinator

**Rationale:** The proposed project area is not on or within any specially-designated lands or ecologically significant areas, nor does the project area contain prime farmland. The project area does, however, border Key Pittman State Wildlife Management Area on the east where a current community gravel pit is located. The proposed project location establishes a new community pit outside Key Pittman State Wildlife Management Area. The project area is traversed by a dry desert wash, but is not within a floodplain and does not contain any wetland or riparian habitats. The proposed action would result in the removal of alluvial sand and gravel deposits, but would not affect sole or principle drinking water aquifers. The project area is 0.16 miles west of Nevada State Highway 318 and it is anticipated that additional noise from the proposed action would have a negligible impact to migratory birds. The proposed action may create habitat for nesting bank swallows (*Riparia riparia*), which could subsequently be disturbed by removal of sand and gravel deposits, however no population-level effects are anticipated. Impacts to other migratory bird species would be negligible. All cultural resources will be avoided, therefore, no impacts will occur to cultural resources.

## Section 1.3 Level of Controversy

3. Does the proposed action have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?		
YES	NO	REVIEWER/TITLE
	X	Nick Pay/Planning and Environmental Coordinator

**Rationale:** The Proposed Action is to allow a use that has already been designated for the area. There are several other community pits in the field office and in similar environments without any controversy. Therefore, the Proposed Action is not expected to have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources.

## Section 1.4 Highly Uncertain or Unique or Unknown Environmental Risks

4. Does the proposed action have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		
YES	NO	REVIEWER/TITLE
	X	Nick Pay/Planning and Environmental Coordinator

**Rationale:** The Proposed Action is to allow a use that has already been designated for the area. There are several other community pits in the field office and in similar environments without any highly uncertain or potentially significant environmental effects or unknown environmental risks. Therefore, the Proposed Action is not expected to have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks.

## Section 1.5 Precedent Setting

5. Does the proposed action establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?		
YES	NO	REVIEWER/TITLE
	X	Nick Pay/Planning and Environmental Coordinator

**Rationale:** The Proposed Action is to allow a use that has already been designated for the area. The Action is permitted under the 43 CFR 3600 regulations and will be implemented according to BLM policy. Several other community pits have been approved in the field office within similar environments. Therefore, the Proposed Action is not expected to establish a precedent for future actions or represent a decision in principle about future actions with potentially significant environmental effects.

## Section 1.6 Cumulatively Significant Effects

6. Does the proposed action have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		
YES	NO	REVIEWER/TITLE
	X	Nick Pay/Planning and Environmental Coordinator

**Rationale:** The Proposed Action is to allow a use that has already been designated for this area. Few developments (including an R&PP lease, range improvements, wildlife improvements, and roads) occur on public lands in the vicinity. Therefore, the Proposed Action is not expected to have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects.

## Section 1.7 Impacts on Cultural Properties

7. Does the proposed action have significant impacts on properties listed or eligible for listing, on the National Register of Historic Places as determined by either the Bureau or office?		
YES	NO	REVIEWER/TITLE
	X	Harry Konwin/Archaeologist

**Rationale:** All cultural resources will be avoided. There will be no impacts to cultural resources.

## Section 1.8 Impacts on Federally Listed Species or Critical Habitat

8. Does the proposed action have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?		
YES	NO	REVIEWER/TITLE
	X	Todd Trapp/Wildlife Biologist

**Rationale:** Federally listed threatened and endangered species are not known to occur in the proposed project area, nor is the area designated critical habitat for any threatened or endangered species. The project area is not in greater sage-grouse (*Centrocercus urophasianus*) or threatened desert tortoise (*Gopherus agassizii*) habitat. The proposed project area borders Key Pittman State Wildlife Management Area on the east where a current community gravel pit is located. The endangered southwestern willow flycatcher (*Empidonax traillii extimus*) and endangered Pahranaagat roundtail chub (*Gila robusta jordani*) are known to occur on Key Pittman State Wildlife Management Area, inhabiting the riparian and aquatic habitats found there. The proposed project location establishes a new community pit outside Key Pittman State Wildlife Management Area. The project area does not contain wetland, aquatic, or riparian habitats.

## Section 1.9 Compliance With Laws

9. Does the proposed action violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?		
YES	NO	REVIEWER/TITLE
	X	Nick Pay/Planning and Environmental Coordinator

**Rationale:** The Proposed Action is believed to be in compliance with all Federal, State, local, and tribal laws or requirements imposed for the protection of the environment.

## Section 1.10 Environmental Justice

10. Does the proposed action have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		
YES	NO	REVIEWER/TITLE
	X	Nick Pay/Planning and Environmental Coordinator

**Rationale:** Low income or minority populations do not occur in proximity to the Proposed Action. Therefore, the action should not have a disproportionately high and adverse effect on low income or minority populations.

## Section 1.11 Indian Sacred Sites

11. Does the proposed action limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners, or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?		
YES	NO	REVIEWER/TITLE
	X	Harry Konwin/Archaeologist

**Rationale:** No known ceremonial or sacred sites occur in the project area. The Proposed Action does not limit public access. Therefore, the Proposed Action is not expected to significantly adversely effect the physical integrity of such sacred sites.

## Section 1.12 Noxious and Non-Native Invasive Species

12. Does the proposed action contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?		
YES	NO	REVIEWER/TITLE
	X	Cameron Boyce/Natural Resource Specialist

**Rationale:** Noxious weeds and non-native invasive species must be mitigated under the Conditions of Approval for any contracts issued as a result of this Proposed Action. Therefore, it is not likely to have an affect on noxious or non-native invasive species.

## Section 1.2 Preparer Information

Shirley Johnson  
PREPARER/TITLE

9/30/15  
DATE

Asst Field Manager NRR  
TITLE